

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR10-73-MJP

10 Plaintiff,

11 v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 JOSEPH ALEXANDER RAMSAY

13 Defendant.

14
15 An evidentiary hearing on a petition for violation of supervised release in this case was
16 scheduled before the undersigned Magistrate Judge on March 25, 2010. The United States was
17 represented by Assistant United States Attorney Todd Greenberg, and the defendant by Ken
18 Kanev. The proceedings were digitally recorded.

19 The defendant had been charged and convicted in the United States District Court for
20 the Central District of California at Santa Ana. On or about June 4, 2007, defendant was
21 placed on supervision by the Honorable David O. Carter, who fixed the period of supervision
22 at five years.

23 In a Petition on Probation and Supervised Release (Bench Warrant) dated December
24 19, 2008, U.S. Probation Officer Sharon Lesure asserted the following violations by defendant
25 of the conditions of his supervised release:
26

SUMMARY REPORT OF U.S. MAGISTRATE
JUDGE AS TO ALLEGED VIOLATIONS OF
SUPERVISED RELEASE - 1

- 1 1. In compliance with the order that he participate in outpatient drug treatment,
2 Mr. Ramsay was referred for participation in the drug testing and treatment
3 program at Mental Health Systems, Inc. (MHS). Subsequent to his enrollment,
4 on November 14, 18, 19, 20, 21, 24, 25, 2008, he failed to report for random
5 drug testing.
- 6 2. Having been instructed by the Probation Officer to submit written monthly
7 reports within the first five days of each month, Mr Ramsay failed to submit a
8 written monthly report for the month of November 2008.
- 9 3. Having been instructed by the Probation Officer to report change in residence
10 within 72 hours, on or about November 24, 2008, Mr. Ramsay changed his
11 place of residence and failed to notify the Probation Officer of such change.
- 12 4. Having been instructed by the Probation Officer on December 3, 2008, to report
13 in person on December 4, 2008, at the U.S. Probation Office, 290 North D
14 Street, San Bernardino, California, Joseph Ramsay failed to report as directed.
- 15 5. Having been ordered by the Court to participate in the home confinement
16 program with electronic monitoring for a period of three months, on or about
17 December 3, 2008, Mr. Ramsay was unsuccessfully discharged from the home
18 confinement program.
- 19 6. On November 12, 2008, Mr. Ramsay was arrested by officers of the
20 Vice/Narcotics Unit Corona Police Department for possession of
21 methamphetamine, in violation of Section 11377(a) H&S of the California
22 Penal Code: Possession of more than one ounce of marijuana, in violation of
23 11357(c) H&S and for possession of marijuana for sale, in violation of Section
24 11359 H&S of the California Penal Code.


25 On February 17, 2010, defendant made his initial appearance. The defendant was
26 advised of the allegations and advised of his rights. On March 25, 2010, this matter came

1 before the Court for an evidentiary hearing. Defendant admitted to violations 1, 2, 3, 4, 5 and
2 6.

3 I therefore recommend that the Court find the defendant to have violated the terms and
4 conditions of his supervised release as alleged in violations 1, 2, 3, 4, 5 and 6, and that the
5 Court conduct a hearing limited to disposition. A disposition hearing on these violations has
6 been set before the Honorable Marsha J. Pechman on June 25, 2010 at 2:15 p.m.

7 Pending a final determination by the Court, the defendant has been detained.

8 DATED this 25th day of March, 2010.

9 
10 JAMES P. DONOHUE
11 United States Magistrate Judge
12
13

14 cc: District Judge: Honorable Marsha J. Pechman
15 AUSA: Todd Greenberg
16 Defendant's attorney: Ken Kanev
17
18
19
20
21
22
23
24
25
26